IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CONTEMPT PETITION NO.117 OF 1994

1. Salsette Catholic Co-op.
Housing Society Limited,
having its registered
office at Perry Road,
Bandra (West),
Bombay-400 050.

2. Conwood Developers Pvt.Ltd.,
having its registered office
at Mittal Tower, 'A' Wing,
Third Floor, Nariman Point,
Bombay-400 023. .... Petitioners

- Versus -

1. Nasli Manekshaw Randelia,
Indian Inhabitant, residing
at 5, Kismat Nagar, Kushgaon
Road, Lonawala, Dist: Pune.

2. B. Shantilal,
a partnership firm having its
office No.2302 at 23rd floor,
Pancharatna, Opera House,
Bombay-400 004.

3. State of Maharashtra .... Respondents

Shri K.K. Tated, Asst. Government Pleader,
for the Respondent No.3-State.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: NOVEMBER 22, 2004

ORAL JUDGMENT:

1. None present for the petitioners and the respondents except for the respondent No.3. Perused the records.

2. The grievance of the petitioners is that inspite of the order dated 14-6-1990 directing the respondent No.1 not to make any transfer or assignment of the plots until the disposal of the suit and six months thereafter, the respondent No.1 sold the plots to M/s. N.N. Brothers by sale deed dated 28-3-1992. It is the contention of the petitioners that they came to know about the said transfer through a public notice dated 11-4-1994, published in Bombay Samachar. The contempt proceedings were sought to be initiated by the complaint filed in April, 1994. Considering the provisions of Section 20 of the Contempt of Courts Act, 1971, which clearly provides that no Court shall initiate any proceedings for contempt of Court, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed, the present application is ex facie barred by the law of limitation and therefore the proceedings for contempt of Court against the respondents are not maintainable being barred by the law of limitation. The law on the point is well-settled by the decision of the Apex Court in **Pallav Sheth v. Custodian & Ors.,** reported in 2001 (7) SCC 549 and in **Om Prakash Jaiswal v. D.K. Mittal and another,** reported in 2001 (1) Mh.L.J. 333. Hence the petition is rejected. The proceedings are disposed of. The rule stands discharged and the interim relief stands vacated.